

MONROE COUNTY  
OFFICIAL RECORDS

This instrument prepared by:  
Stones & Cardenas  
221 Simonton Street  
Key West, FL 33040  
(305) 294-0252

FILE #1437373  
BK#1993 PG#977

RCD Apr 16 2004 12:15PM  
DANNY L KOLHAGE, CLERK

**RESTRICTIVE COVENANT  
( CORRECTIVE )**

Whereas, RONALD K. HECK, a single man, hereinafter "OWNER" is the owner of real property situated at 1225-1227 Third Street, legally described as follows:

Lot 1, Block 3, SUNSHINE SUBDIVISION PLAT NO. 3, as recorded in Plat Book 2, Page 169, of the Public Records of Monroe County, Florida.

Property Appraiser's Parcel Identification Number: 00051610-000000

WHEREAS, the City of Key West, hereinafter "City" distributes building permits for housing units which are allocated to it by the State of Florida; and

WHEREAS, the OWNER desires to build one (1) affordable housing unit on the above described property or designate already constructed unit(s) on the above described property as affordable; and

WHEREAS, the building permits available from CITY are for housing units designated as "affordable" and "affordable, low income" by the CITY under its Affordable Housing Regulations;

NOW, THEREFORE, the OWNER agrees to the following:

1. The permits for the units will be awarded from the CITY'S  
    \_\_\_X\_\_\_ AFFORDABLE  
    \_\_\_ AFFORDABLE, LOW INCOME  
    permit allocation specifically for **1227 Third Street, Key West, Florida**
2. The housing built or designated affordable as a result of this award shall be restricted in its rental and sale prices, as well as by the income limitations on tenants and ownership, by the restrictions in the CITY's Affordable Housing Regulations as defined in the Land Development Regulations of the City of Key West, including but not limited to Section 122-1466 as it is currently written or as it is amended or codified.
3. The execution and filing of this document in the public records of Monroe County creates no rights in the OWNER to the permits and units herein described. All other codes, ordinances, and regulations of the CITY must be adhered to within the required time frames to obtain a Certificate of Occupancy for the above unit(s).

4. This corrective instrument is being filed to re-designate the permit award as received from the city of Key West AFFORDABLE permit allocation, and not as designated from the AFFORDABLE LOW INCOME permit allocation as contained in the Restrictive covenant filed in Official records Book 1832 Page 515 on November 14, 2002 in the Monroe County Public Records.

The above restrictions shall be a restrictive covenant which shall run with the land and remain in full force and effect for a period of 25 years from the date of the original deed of restriction unless renewed or rescinded by the CITY. In the event of a violation or breach of these restrictions, CITY and any person aggrieved by a violation or breach shall have the right to proceed at law or in equity to compel compliance with the terms hereof or to prevent the violation or breach of any of them. The failure to enforce any right, reservation, restriction or condition contained herein, however long continued, shall not be deemed a waiver of the right to do so thereafter as to the same breach.

Made and executed on the 8<sup>th</sup> day of April, 2004.

Susan M. Hess  
Signature of Witness

Susan M. Hess  
Printed Name of Witness

Ronald K. Heck  
RONALD K. HECK

Cindy Sawyer  
Signature of Witness

Cindy Sawyer  
Printed Name of Witness

STATE OF FLORIDA:  
COUNTY OF MONROE:

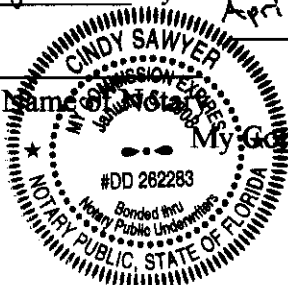
**I HEREBY CERTIFY** that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, RONALD K. HECK, a single man, who is personally known to me to be the person described in and who executed the foregoing instrument or who produced personally known as identification, and he has acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

**WITNESS** my hand and official seal at Key West, County of Monroe, State of Florida, this 8<sup>th</sup> day of April, 2004.

Cindy Sawyer  
Printed Name of Notary

NOTARY PUBLIC

My Commission Expires:



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